

DEPARTMENT OF THE NAVY OFFICE OF THE CHIEF OF NAVAL OPERATIONS 2000 NAVY PENTAGON WASHINGTON DC 20350-2000

OPNAVINST 1770.3A PERS-13/N1 5 Nov 2018

OPNAV INSTRUCTION 1770.3A

From: Chief of Naval Operations

Subj: TRAUMATIC INJURY SERVICEMEMBERS' GROUP LIFE INSURANCE

Ref: (a) Public Law 109-13

(b) SECNAVINST 1770.4

(c) Traumatic Injury Protection Under Servicemembers' Group Life Insurance (TSGLI), A Procedural Guide of 5 June 2018

1. Purpose

- a. To delineate the organizational responsibilities required to manage and administer the Navy's Traumatic Injury Servicemembers' Group Life Insurance (TSGLI) Protection Program.
- b. Major changes in this revision include clarification of assignments within the administration and execution of the TSGLI Protection Program, as well as a revised appeals process. This instruction is a complete revision and should be read in its entirety.
- 2. Cancellation. OPNAVINST 1770.3.
- 3. <u>Applicability</u>. All Active Component and Reserve Component Sailors with full time Servicemember's Group Life Insurance (SGLI) coverage are automatically covered under the TSGLI program.
- 4. <u>Background</u>. The TSGLI Protection Program was established by reference (a), section 1032, and program policy generated in reference (b). TSGLI provides traumatic injury protection for all uniformed Service members who are severely injured (on or off duty) as a result of a traumatic event that results in a loss that qualifies for payment under the TSGLI Protection Program. The insurance proceeds are paid to the injured Service member or his or her designated SGLI beneficiary(s) if the member dies prior to receiving payment.
- 5. <u>Discussion</u>. The TSGLI Protection Program is designed to help traumatically injured Service members and their families with financial burdens associated with recovering from a severe injury. Qualifying losses are outlined in reference (c); a list of which is available at https://www.benefits.va.gov/INSURANCE/tsgli_schedule_Schedule.asp. Reference (c) in its entirety can be downloaded at http://www.benefits.va.gov/INSURANCE/ins_publications.asp

6. Responsibilities

- a. Navy Bureau of Medicine and Surgery (BUMED) will:
- (1) Provide access to qualified medical providers to conduct secondary review TSGLI claims submitted for reconsideration.
- (2) Ensure each Navy medical treatment facility (MTF) designates, in writing, a TSGLI program coordinator. This coordinator will be the MTF point of contact and will also:
 - (a) Publish local program guidance which outlines eligibility criteria.
 - (b) Promote program awareness.
- (c) Establish a partnership with Commander, Navy Personnel Command (COMNAVPERSCOM), Navy Casualty Office (PERS-00C) in the development of a TSGLI training curriculum with up-to-date program information and material and subject matter expert attendance at training assemblies.
- (d) Provide a mechanism to support Service members, their families and the clinical staffs who are involved in the claims process.
- (e) Provide access to on-line medical records for PERS-00C authorized personnel, within the strict confines of the Health Insurance Portability and Accountability Act (HIPAA) of 1996 regulations that govern healthcare professionals to the program manager and assigned medical professionals in direct support of TSGLI applications and review process.
- (3) Direct each Navy MTF to designate, in writing, a TSGLI clinical champion who will assist Service members and their families in the completion and filing of new or retroactive TSGLI claims.
- (4) Ensure each Navy MTF establishes a TSGLI training program for its assigned physicians, nurses, and administrative personnel who are directly involved with traumatically injured Service members or their families. This training program will be designed to:
- (a) Ensure each patient administrative officer receives up-to-date TSGLI training and access to online sources.
- (b) Provide general orientation to physicians, nurses, and administrative personnel regarding eligibility criteria; obtaining the SGLV 8600, Application for TSGLI Benefits; identification of required supporting documentation; and the claims submission process.
- (c) Ensure patient administration officers and assigned clinicians receive up-to-date training regarding TSGLI qualification criteria, the claims submission process, and the types of medical documentation which are required to substantiate a qualifying loss.

- (5) Ensure each Navy MTF provides traumatically injured Service members and their families the administrative support necessary to file a TSGLI claim. Such assistance may include obtaining the SGLV 8600 and required medical documentation, or any other assistance they may require to file a claim or to appeal a denied claim. Assist PERS-00C, if requested, by providing additional documentation necessary to adjudicate TSGLI claims.
- (6) Ensure Navy MTFs and other MTFs provide the required medical documentation to traumatically injured Service members as requested, under either the Privacy Act of 1974 or HIPAA.

b. Deputy Chief of Navy Personnel will:

- (1) Administer and execute the TSGLI Protection Program for Active Component and Reserve Component Sailors as directed by references (a) through (c).
- (2) Establish an internal hierarchy for initial claims adjudication, first level review, and adjudication of denied claims submitted by the Service member for reconsideration and formal submission to the TSGLI Appeals Board, in line with reference (b).

c. COMNAVPERSCOM will:

- (1) Provide access to a medical provider, as required, for initial review of submitted TSGLI claims. Additionally, a physician may be requested to conduct a review of submitted reconsideration cases, if no other assets are available.
- (2) Provide necessary administrative and legal support for the TSGLI Protection Program, as required.

d. PERS-00C will:

- (1) In cooperation with the Department of Veterans' Affairs (VA) and BUMED, raise Service member awareness of the provisions of the insurance program, including automatic coverage, via Navy policy documents, media, command training and by any other means available.
- (2) Receive, review, and expeditiously process and adjudicate all SGLV 8600 and SGLV 8600A, TSGLI Appeal Request, forms received in line with references (b) and (c).
- (3) Establish and maintain liaison with various Department of Defense (DoD) organizations, the VA, and the Office of Servicemembers' Group Life Insurance to facilitate program management and claims adjudication.
- (4) Maintain an electronic database to monitor Navy TSGLI claims activity and maintain records of all claims received or processed. The database will include sufficient information to generate various reports including hostile or non-hostile events, a breakdown of scheduled

losses, claims approved or disapproved, amount paid, as well as the time required to process claims. Copies of all SGLV 8600s and supporting documentation will be entered into the Defense Casualty Information Processing System. Hard copy records will be maintained for 1 year.

e. <u>Commander, Navy Installations Command (CNIC), Navy Wounded Warrior Program (CNIC N95)</u>. Representatives will refer traumatically injured Service members' cases managed by CNIC N95 to the appropriate TSGLI office.

f. Commanders, Commanding Officers, and Officers in Charge will:

- (1) Inform Service members under their command or charge of the existence of the TSGLI Protection Program and refer Sailors to appropriate medical professionals for assistance, as needed.
- (2) Provide counseling and administrative assistance to any Service member under their command or charge who suffers a traumatic injury or who may have a TSGLI qualifying loss.
- g. <u>Traumatically Injured Service Members</u>. Traumatically injured Service members (or his or her legal guardian) who feel they have suffered a qualifying loss under the TSGLI Protection Program will submit an SGLV 8600 as soon as they are able.

7. Claims Submission and Appeals Process

a. Initial claims and first level reconsiderations will be submitted to:

Navy Personnel Command Navy Casualty Office (PERS-00C) ATTN: TSGLI Program Manager 5720 Integrity Drive

Millington, TN 38055-6210 E-mail: mill_tsgli.fct@navy.mil

- b. If an injured Service member's SGLV 8600 is denied, he or she has the right to request an appeal. The issue being appealed by an injured Service member determines which organization will receive and act on the appeal.
- (1) An SGLV 8600 that is denied by PERS-00C, for any reason other than determination of enrollment under basic SGLI at the time of the traumatic event, is subject to four levels of administrative and appeal review.
- (a) A first level of appeal is a reconsideration conducted by PERS-00C, in consultation with a certified physician.

(b) Specific guidance (regarding submission, submission timeline, board details, etc.) for second level of appeal is outlined in reference (c). The review is conducted by the Secretary of the Navy (SECNAV), Council of Review Boards.

TGSLI Appeals Board Navy Council of Review Boards 720 Kennon Street SE Room 309 Washington Navy Yard, DC 20374-5023

(c) Third level of appeal is conducted by the Board for Correction of Naval Records.

Board for Correction of Naval Records 701 South Courthouse Road Building 12, Suite 1001 Arlington, VA 22204-2490

- (d) All Service members have the right to appeal the decision in Federal district court (section 1975 of Title 38, U.S. Code) as stated in reference (c).
- (2) Appeals involving basic SGLI coverage at the time of the traumatic event will be submitted directly to the office of Servicemembers' Group Life Insurance.

Office of Servicemembers' Group Life Insurance 80 Livingston Avenue Roseland, NJ 07068-1733

- c. All reconsiderations and appeals will be filed utilizing the SGLV-8600A. As well as the basic information required on the form, members should follow the guidance in subparagraphs 7c(1) through 7c(4).
- (1) Only losses previously reviewed may be appealed. Claiming losses not reviewed will require submission of a new SGLV 8600.
 - (2) List only those losses from the TSGLI Schedule of Losses that are being appealed.
- (3) Desire for third party authorization to speak or act on behalf of the claimant must be properly documented.
- (4) Each reason for appeal listed must be supported with new evidence or documentation, as well as any new information.

8. Records Management

a. Records created as a result of this instruction [notice, change transmittal], regardless of format or media, must be maintained and dispositioned for the standard subject identification

codes 1000 through 13000 series per the records disposition schedules located on the Department of the Navy/Assistant for Administration (DON/AA), Directives and Records Management Division (DRMD) portal page at

 $\frac{https://portal.secnav.navy.mil/orgs/DUSNM/DONAA/DRM/Records-and-Information-Management/Approved%20Record%20Schedules/Forms/AllItems.aspx.}{}$

- b. For questions concerning the management of records related to this instruction or the records disposition schedules, please contact the local records manager or the DON/AA DRMD program office.
- 9. Review and Effective Date. Per OPNAVINST 5215.17A, PERS-00C will review this instruction annually around the anniversary of its effective date to ensure applicability, currency, and consistency with Federal, DoD, SECNAV, and Navy policy and statutory authority using OPNAV 5215/40 Review of Instruction. This instruction will be in effect for 5 years, unless revised or cancelled in the interim, and will be reissued by the 5-year anniversary date if it is still required, unless it meets one of the exceptions in OPNAVINST 5215.17A, paragraph 9. Otherwise, if the instruction is no longer required, it will be processed for cancellation as soon as the cancellation is known following the guidance in OPNAV Manual 5215.1 of May 2016.
- 10. <u>Forms</u>. The forms listed in subparagraphs 10a and 10b, as well as instructions for completion, are available for download via the VA Web site at: http://www.benefits.va.gov/INSURANCE/resources-forms.asp.
 - a. SGLV 8600, Application for TSGLI Benefits.
 - b. SGLV 8600A, TSGLI Appeal Request Form.

Deputy Chief of Naval Operations (Manpower, Personnel, Training and Education)

Releaseability and distribution:

This instruction is cleared for public release and is available electronically only via Department of the Navy Issuances Website http://doni.documentservices.dla.mil